

IDAHO REAL ESTATE APPRAISER BOARD
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 10/22/2012

BOARD MEMBERS PRESENT: Brad Janoush - Chair
Darin D Krier
Douglas D Vollmer
Paul J. Morgan
Nancy Sommerwerck

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Eric Nelson, Prosecuting Attorney
Roger Hales, Administrative Attorney
Maria Brown, Technical Records Specialist

OTHERS PRESENT: Stuart Haxton

The meeting was called to order at 8:30 AM MDT by Brad Janoush.

Mr. Janoush welcomed the Board's newest member, Mr. Doug Vollmer.

APPROVAL OF MINUTES

The Board reviewed the 8/20/2012 minutes. It was moved by Mr. Morgan to approve the 8/20/2012 minutes with amendments. Seconded by Ms. Sommerwerck, motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report and explained the legislative process to the new board member. Mr. Janoush gave an update on the work being done by stakeholders drafting Appraisal Management Company (AMC) Legislation. He asked that Mr. Tim Sullivan be added to the next agenda to address the Board regarding the AMC Legislation.

FINANCIAL REPORT

Ms. Hall presented the financial report, which indicates a cash balance of (\$75,882.89) as of 9/30/2012. She informed the Board that GL Suites was awarded the new licensing system contract. The monthly maintenance fee for the new system may be higher than the current fee, but there will not be a one-time up-front cost.

FORMAL DISCIPLINARY ACTION

Mr. Nelson explained the disciplinary process to the new Board members.

Mr. Nelson presented a memorandum for case REA-2013-2. Mr. Morgan recused himself from discussion and voting on case REA-2013-2. Following review, it was moved by Mr. Krier to close case REA-2013-2 with a strongly worded letter. Seconded by Ms. Sommerwerck, motion carried.

Mr. Nelson presented a memorandum for case REA-2013-6. Mr. Morgan recused himself from discussion and voting on case REA-2013-6. After review, the Board presented its recommendations to its prosecuting attorney.

Mr. Nelson presented the Findings of Fact, Conclusions of Law and Final Order for case REA-2010-27. It was moved by Ms. Sommerwerck to accept the Findings of Fact, Conclusions of Law and Final Order for case REA-2010-27 and authorize the Board Chair to sign on behalf of the Board. Seconded by Mr. Vollmer, motion carried.

INVESTIGATIVE REPORT

Ms. Peel presented the investigative report.

For Board Determination:

Case number I-REA-2013-1. Mr. Morgan recused himself from discussion and voting on case I-REA-2013-1. Following review, it was moved by Mr. Krier to close case I-REA-2013-1. Seconded by Ms. Sommerwerck, motion carried.

Case number I-REA-2013-2. Mr. Morgan recused himself from discussion and voting on case I-REA-2013-2. Following review, it was moved by Mr. Krier to close case I-REA-2013-2. Seconded by Ms. Sommerwerck, motion carried.

Case number I-REA-2013-4. Mr. Morgan recused himself from discussion and voting on case I-REA-2013-4. Following review, it was moved by Mr. Krier to close case I-REA-2013-4. Seconded by Ms. Sommerwerck, motion carried.

PROBATION REPORT

Ms. Peel presented the probation report.

FORMAL DISCIPLINARY ACTION

Ms. Peel presented a memorandum for case REA-2013-5. After review, the Board presented its recommendations to Ms. Peel.

CORRESPONDENCE

Ms. Peel presented a request for a settlement offer of costs for case REA-2007-121. It was moved by Ms. Sommerwerck to accept the request for a settlement offer of costs for case REA-2007-121. Seconded by Mr. Vollmer, motion carried. Mr. Krier opposed the motion.

APPLICATIONS

EXECUTIVE SESSION

A motion was made by Ms. Sommerwerck that the Board go into executive session under Idaho Code § 67-2345(1) (d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the executive session was to consider license application materials. Seconded by Mr. Krier. The vote was: Mr. Morgan, aye; Mr. Janoush, aye; Mr. Vollmer, aye; Mr. Krier, aye; and Ms. Sommerwerck, aye. Motion carried.

It was moved by Mr. Vollmer that the Board enter regular session. Seconded by Ms. Sommerwerck. The vote was: Mr. Morgan, aye; Mr. Janoush, aye; Mr. Vollmer, aye; Mr. Krier, aye; and Ms. Sommerwerck, aye. Motion carried.

Approved for licensure by reciprocity

It was moved by Mr. Vollmer to approve the following applicant for licensure by reciprocity:

HAXTON STUART R CGA

Seconded by Ms. Sommerwerck, motion carried.

OLD BUSINESS

TO DO LIST

The Board reviewed the to do list. No action was taken.

NEW BUSINESS

LICENSURE COUNT

The Board discussed the current licensee count.

AARO

Ms. Brown presented an overview of the Association of Appraiser Regulatory Officials fall meeting.

CORRESPONDENCE

STATE OF OREGON

The Board reviewed an e-mail from the State of Oregon regarding the re-establishment of the Licensed Residential Appraiser credential in Oregon. No action was taken.

APPRAISAL FOUNDATION

The Board discussed the correspondence from the Appraisal Foundation regarding adopted changes to the Real Property Appraiser Qualification Criteria. No action was taken.

APPRAISAL SUBCOMMITTEE

The Board discussed the upcoming Appraisal Subcommittee's (ASC) review and the proposed revisions to the ASC Policy Statements. It was moved by Mr. Morgan to direct Ms. Brown to draft a response to the proposed ASC policy statements and authorize the Chair to sign on behalf of the Board. Seconded by Mr. Krier, motion carried.

JURISPRUDENCE EXAM

The Board reviewed its current Jurisprudence Exam to ensure relevancy and asked that it be e-mailed to each Board member as a PDF and placed on the next agenda for discussion.

BOARD PLAQUE

The Board discussed ordering a Board Plaque for Mr. Klundt. It was moved by Ms. Sommerwerck to approve sending Mr. Klundt a plaque for his service on the Board. Seconded by Mr. Vollmer, motion carried.

EXECUTIVE SESSION

A motion was made by Ms. Sommerwerck that the Board go into executive session under Idaho Code § 67-2345(1) (d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the executive session was to consider license application materials. Seconded by Mr. Vollmer. The vote was: Mr. Morgan, aye; Mr. Janoush, aye; Mr. Vollmer, aye; Mr. Krier, aye; and Ms. Sommerwerck, aye. Motion carried.

It was moved by Mr. Morgan that the Board enter regular session. Seconded by Ms. Sommerwerck. The vote was: Mr. Morgan, aye; Mr. Janoush, aye; Mr. Vollmer, aye; Mr. Krier, aye; and Ms. Sommerwerck, aye. Motion carried.

APPLICATIONS

Approved for licensure by examination

It was moved by Mr. Morgan to approve the following applicant for licensure by examination:

AHERN JAMES DALTON CRA

Seconded by Mr. Krier, motion carried.

CE AUDIT REVIEW

The Board reviewed a continuing education audit. After review, the Board presented its recommendations to Ms. Brown.

BROKER PRICE OPINION

Ms. Sommerwerck brought up the topic of broker price opinions and asked that it be added to the next agenda.

NEXT MEETING 12/3/2012

ADJOURNMENT

It was moved by Mr. Morgan that the meeting adjourn at 11:55 AM MDT. Seconded by Mr. Krier, motion carried.